

REMARKS

I. Status

The Office Action indicates claims 43-47, 49-52, and 54-61 to be pending in this Application. With this response, claims 63 and 64 are added, and claims 54-56 are canceled without prejudice or disclaimer. No new matter has been added.

Claims 54-56 are rejected under 35 U.S.C. 112, first paragraph.

Claims 43-47, 49-52, and 54-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harrison (U.S. Patent No. 6,064,420) in view of Lappington (U.S. Patent No. 5,734,413).

Claims 43, 49, and 57 are independent.

II. Rejection of Claims 54-56 under 35 U.S.C. 112

The Office Action rejects claims 54-56 under 35 U.S.C. 112, first paragraph, the Office Action stating that:

“[t]he claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The subject matter in claims 54-56, i.e. ‘article of manufacture comprising a computer readable medium ...’ was not described in the specification”
(see Office Action p. 2).

The Applicant respectfully disagrees.

Nevertheless, to facilitate prosecution with this response the Applicant cancels claims 54-56 without prejudice or disclaimer.

In view of at least the foregoing, the Applicant respectfully requests that the rejection be withdrawn.

III. Rejection of Independent Claims 43, 49, and 57 under 35 U.S.C. 103

The Office Action rejects claims 43, 49, and 57 under 35 U.S.C. 103(a) as being unpatentable over Harrison in view of Lappington. However, the Applicant respectfully submits that Harrison and Lappington, taken individually or in combination, fail, for example, to disclose, teach, or suggest:

“... split received data including at least first image information and second image information into at least two data parts based on headers in the received data ...”

as set forth in each of claims 43 and 57 (emphasis added).

As another example, Harrison and Lappington, taken individually or in combination, fail to disclose, teach, or suggest:

“... splitting the obtained data into at least two data parts based on headers in the obtained data, wherein the first image information and the second image information are for displaying at least two substantially different images ...”

as set forth in claim 49 (emphasis added).

The Office Action, stating that:

“Harrison fails to explicitly teach the splitting application to split the received data ... based on headers in the received data. However, Harrison does teach the associated data protocol manager 60 looks for the first recipient identification (party-id) upon receiving data, and provide the received data to the target device (see col. 12, lines 13-54). Therefore, it would have been obvious to one skilled in the art to include the party-id into the received stream encoded as shown in Fig. 2, as a header in the stream such as one disclosed in the Lappington. Lappington teaches a method of splitting data to a TV 30 and a handheld device 32 as shown in Fig. 1, wherein the received data structure includes a

header 324 (Fig. 8) comprising information of the destination device to which the received data provided to (col. 17, line 52 to col. 8, line 4)”
(see Office Action p. 4, p. 6, and p. 10),

apparently contends that such is provided by the combination of Harrison and Lappington, the Office Action apparently viewing Lappington as teaching that data is split into TV and handheld device parts based on headers of the received data.

However, the Applicant respectfully disagrees for at least that reason that Lappington fails to disclose, teach, or suggest that data is split into TV and handheld device parts based on headers of the received data, and instead merely discusses that the same data is provided to both television set 30 and settop device/converter 28, with settop device/converter 28 simply stripping out interactive data for transmission to handheld 32, but not sending the rest of the data anywhere:

“[t]he signal received by satellite receiver 26 is sent to the home viewer where it is received by television set 30 and settop device/converter 28. Television 30 plays the original television program. Settop device 28 receives the encoded television signal and strips out the interactive data. Settop device 28 sends the interactive data by infrared transmission to handheld 32, which presents the interactive program to the home viewer. Thus, while the home viewer watches TV 30, the viewer can participate in the interactive program presented on handheld 32. Although infrared transmission is preferred, any other means for transmission will suffice; for example, radio communication or a wire. Transmission via infrared or radio is more efficient than a wire because many viewers, each with their own handheld, can participate simultaneously”
(see Lappington column 8 line 62 - column 9 line 9; emphasis added).

In view of at least the foregoing, the Applicant respectfully submits that claims 43, 49, and 57, as well as those claims that depend therefrom, are in condition for allowance.

IV. Dependent Claim Rejections

The Applicant does not believe it is necessary at this time to further address the rejections of the dependent claims as the Applicant believes that the foregoing places the independent claims in condition for allowance. The Applicant, however, reserves the right to further address those rejections in the future should such a response be deemed necessary and appropriate.

(Continued on next page)

CONCLUSION

The Applicant respectfully submits that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required for this response, or credit any overpayment to Deposit Account No. 504827, Order No. 1004289.306US (4208-4353).

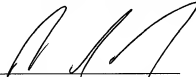
Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

LOCKE LORD BISSELL & LIDDELL LLP

Dated: March 10, 2009

By:



Angus R. Gill
Registration No. 51,133

Mailing Address:
LOCKE LORD BISSELL & LIDDELL LLP
3 World Financial Center
New York, New York 10281-2101
(212) 415-8600
(212) 303-2754 (Fax)